

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FILED  
3/31/23 9:47 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

IN RE: )  
WILLIAM N GEARY ) Case No. 18-24551 GLT  
NICOLE M GEARY )  
Debtor(s). ) Chapter 13  
X ) Related to Dkt. No. 75

**ORDER OF COURT**  
(Check Boxes That Apply)

- ☒ Confirming Plan on Final Basis ☐ Chapter 13 Plan dated:  
☐ Authorizing Distributions Under Plan ☒ Amended Chapter 13 dated:  
On Interim Basis Solely as Adequate Protection 2-17-23

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is **\$1755** effective **1/22**.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the "Plan"), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee's next available distribution date after the first day of the month following the date on which this Order is entered on the Court's docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

**1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:***

- ☐ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$, beginning . To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee's TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least months. This statement

of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

**PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.**

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor \_\_\_\_\_ shall be paid monthly payments of \$ \_\_\_\_\_ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:
- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount,

to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:

- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
- ☒ K. Additional Terms and Conditions:

*\*All plan payments must be by TFS, WA, or (where eligible) ACH. Trustee reserves the right to reject money orders or cashier's checks, provided further that if she, in her discretion, presents such items for payments she may keep the funds on hold for more than 30 days before distributing on such types of payments. Debtors making payments by money order or cashier's check assume the risk that distributions under the plan will be delayed because of the failure to pay by one of the approved methods.*

**2. Deadlines.** The following deadlines are hereby established and apply to this case:

**A. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**B. Review of Claims Docket and Objections to Claims.** Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

**C. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**D. Filing Amended Plans or Other Stipulation.** Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel

for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

**3. Additional Provisions. The following additional provisions apply in this case:**

**A.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**B.** The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed *secured claim* (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

**G.** The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

**H.** The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: March 31, 2023

-4-

cc: All Parties in Interest to be served by Clerk

  
\_\_\_\_\_  
Gregory J. Madonio jah  
Chief United States Bankruptcy Judge

In re:  
William N Geary  
Nicole M Geary  
Debtors

Case No. 18-24551-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Mar 31, 2023

User: auto  
Form ID: pdf900

Page 1 of 4  
Total Noticed: 42

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 02, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ William N Geary, Nicole M Geary, 321 Shady Ave, Charleroi, PA 15022-1243
14965566	+ Commonwealth OF PA, Bureau Of Comm Payroll Operations, PO Box 8006, Harrisburg, PA 17105-8006
14953358	+ Fed Loan Serv, Pob 60610, Harrisburg, PA 17106-0610
14953375	+ U S Dept Of Ed/Gsl/Atl, Po Box 5609, Greenville, TX 75403-5609

TOTAL: 4

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Mar 31 2023 23:39:33	Ally Bank, c/o AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Mar 31 2023 23:38:00	Americredit Financial Services, Inc. Db a GM Financ, P.O Box 183853, Arlington, TX 76096-3853
14966383	Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Mar 31 2023 23:38:00	Americredit Financial Services, Inc., Db a GM Financial, P.O Box 183853, Arlington, TX 76096
14959526	Email/Text: ally@ebn.phinsolutions.com	Mar 31 2023 23:38:00	Ally Bank, PO Box 130424, Roseville MN 55113-0004
14953349	+ Email/Text: ally@ebn.phinsolutions.com	Mar 31 2023 23:38:00	Ally Financial, P.o. Box 380901, Bloomington, MN 55438-0901
15222308	+ Email/Text: bankruptcy@avidac.com	Mar 31 2023 23:38:00	Avid Acceptance LLC., 6995 Union Park Center, Ste 450, Cottonwood Heights UT 84047-6145
14953350	+ Email/Text: creditcardbkcorrespondence@bofa.com	Mar 31 2023 23:38:00	Bankamerica, 4909 Savarese Circle, Tampa, FL 33634-2413
14953351	+ Email/Text: creditcardbkcorrespondence@bofa.com	Mar 31 2023 23:38:00	Bk Of Amer, Po Box 982238, El Paso, TX 79998-2238
14953353	Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 31 2023 23:39:39	Capital One, 15000 Capital One Dr, Richmond, VA 23238
14953352	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 31 2023 23:39:24	Cap1/bontn, Po Box 30253, Salt Lake City, UT 84130-0253
14971198	Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 31 2023 23:39:24	Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
14953354	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 31 2023 23:39:24	Capitalone, 15000 Capital One Dr, Richmond, VA 23238-1119
14953355	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 31 2023 23:39:34	Cbna, Po Box 6282, Sioux Falls, SD 57117-6282

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User: auto

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Total Noticed: 42

14953357	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 31 2023 23:39:34	Chld/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
14953359	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Mar 31 2023 23:38:00	Gm Financial, Po Box 181145, Arlington, TX 76096-1145
14953360	+ Email/Text: bankruptcy@huntington.com	Mar 31 2023 23:38:00	Huntington National Ba, 7 Easton Oval, Columbus, OH 43219-6060
14953356	Email/PDF: ais.chase.ebn@aisinfo.com	Mar 31 2023 23:39:31	Chase Card, Po Box 15298, Wilmington, DE 19850
14953361	+ Email/Text: PBNCNotifications@peritussservices.com	Mar 31 2023 23:38:00	Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
14975736	+ Email/Text: nsm_bk_notices@mrcooper.com	Mar 31 2023 23:38:00	Nationstar Mortgage LLC d/b/a Mr. Cooper, P.O. Box 619096, Dallas, TX 75261-9096
14953362	+ Email/Text: nsm_bk_notices@mrcooper.com	Mar 31 2023 23:38:00	Nationstar/mr Cooper, 350 Highland, Houston, TX 77009-6623
14953363	+ Email/Text: nhc@nhchome.com	Mar 31 2023 23:38:00	Natl Hosp Collections, 16 Distributor Dr Ste 2, Morgantown, WV 26501-7209
14953364	+ Email/Text: NissanBKNotices@nationalbankruptcy.com	Mar 31 2023 23:38:00	Nissan Motor Acceptanc, Po Box 660360, Dallas, TX 75266-0360
14953365	Email/Text: Bankruptcy.Notices@pnc.com	Mar 31 2023 23:38:00	Pnc Bank, 2730 Liberty Ave, Pittsburgh, PA 15222
14985620	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Mar 31 2023 23:39:33	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14954048	+ Email/PDF: rmscedi@recoverycorp.com	Mar 31 2023 23:39:40	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14955609	Email/Text: RVSVCBICNOTICE1@state.pa.us	Mar 31 2023 23:38:00	Pennsylvania Department of Revenue, Bankruptcy Division P O Box 280946, Harrisburg PA 17128-0946
14953366	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Mar 31 2023 23:39:26	Portfolio Recov Assoc, 120 Corporate Blvd Ste 100, Norfolk, VA 23502-4952
14953367	Email/PDF: cbp@onemainfinancial.com	Mar 31 2023 23:39:39	Springleaf Financial S, Po Box 18142, Pleasant Hills, PA 15236
14953368	+ Email/PDF: gecsed@recoverycorp.com	Mar 31 2023 23:39:24	Syncb/lowes, Po Box 956005, Orlando, FL 32896-0001
14953369	+ Email/PDF: gecsed@recoverycorp.com	Mar 31 2023 23:39:24	Syncb/old Navy, Po Box 965005, Orlando, FL 32896-5005
14953370	+ Email/PDF: gecsed@recoverycorp.com	Mar 31 2023 23:39:24	Syncb/paypal Extras Mc, Po Box 965005, Orlando, FL 32896-5005
14953371	+ Email/PDF: gecsed@recoverycorp.com	Mar 31 2023 23:39:24	Syncb/qvc, Po Box 965005, Orlando, FL 32896-5005
14953372	+ Email/PDF: gecsed@recoverycorp.com	Mar 31 2023 23:39:24	Syncb/roomful Express, C/o Po Box 965036, Orlando, FL 32896-0001
14953373	+ Email/Text: Atlanticus@ebn.phinsolutions.com	Mar 31 2023 23:38:00	Tbom/atls/fortiva, Pob 105555, Atlanta, GA 30348-5555
14953374	+ Email/Text: bncmail@w-legal.com	Mar 31 2023 23:38:00	Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
14977174	^ MEBN	Mar 31 2023 23:33:07	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
15047764	Email/Text: EDBKNotices@ecmc.org	Mar 31 2023 23:38:00	US Department of Education, PO Box 16448, Saint Paul, MN 55116-0448
14980954	Email/PDF: ebn_ais@aisinfo.com	Mar 31 2023 23:39:26	Verizon, by American InfoSource as agent, PO

District/off: 0315-2

User: auto

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Form ID: pdf900

Total Noticed: 42

Box 248838, Oklahoma City, OK 73124-8838

TOTAL: 38

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Nationstar Mortgage LLC d/b/a Mr. Cooper
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14965557	*+	Ally Financial, P.o. Box 380901, Bloomington, MN 55438-0901
14965558	*+	Bankamerica, 4909 Savarese Circle, Tampa, FL 33634-2413
14965559	*+	Bk Of Amer, Po Box 982238, El Paso, TX 79998-2238
14965561	*P++	CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285, address filed with court:, Capital One, 15000 Capital One Dr, Richmond, VA 23238
14965560	*+	Cap1/bontn, Po Box 30253, Salt Lake City, UT 84130-0253
14965562	*+	Capitalone, 15000 Capital One Dr, Richmond, VA 23238-1119
14965563	*+	Cbna, Po Box 6282, Sioux Falls, SD 57117-6282
14965565	*+	Chld/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
14965567	*+	Gm Financial, Po Box 181145, Arlington, TX 76096-1145
14965568	*+	Huntington National Ba, 7 Easton Oval, Columbus, OH 43219-6060
14965564	*P++	JPMORGAN CHASE BANK N A, BANKRUPTCY MAIL INTAKE TEAM, 700 KANSAS LANE FLOOR 01, MONROE LA 71203-4774, address filed with court:, Chase Card, Po Box 15298, Wilmington, DE 19850
14965569	*+	Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
14965570	*+	Nationstar/mr Cooper, 350 Highland, Houston, TX 77009-6623
14965571	*+	Natl Hosp Collections, 16 Distributor Dr Ste 2, Morgantown, WV 26501-7209
14965572	*+	Nissan Motor Acceptanc, Po Box 660360, Dallas, TX 75266-0360
14965573	*P++	PNC BANK RETAIL LENDING, P O BOX 94982, CLEVELAND OH 44101-4982, address filed with court:, Pnc Bank, 2730 Liberty Ave, Pittsburgh, PA 15222
14965574	*+	Portfolio Recov Assoc, 120 Corporate Blvd Ste 100, Norfolk, VA 23502-4952
14965575	*P++	SPRINGLEAF FINANCIAL SERVICES, P O BOX 3251, EVANSVILLE IN 47731-3251, address filed with court:, Springleaf Financial S, Po Box 18142, Pleasant Hills, PA 15236
14965576	*+	Syncb/lowes, Po Box 956005, Orlando, FL 32896-0001
14965577	*+	Syncb/old Navy, Po Box 965005, Orlando, FL 32896-5005
14965578	*+	Syncb/paypal Extras Mc, Po Box 965005, Orlando, FL 32896-5005
14965579	*+	Syncb/qvc, Po Box 965005, Orlando, FL 32896-5005
14965580	*+	Syncb/roomful Express, C/o Po Box 965036, Orlando, FL 32896-0001
14965581	*+	Tbom/atls/fortiva, Pob 105555, Atlanta, GA 30348-5555
14965582	*+	Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
14965583	*+	U S Dept Of Ed/Gsl/Atl, Po Box 5609, Greenville, TX 75403-5609

TOTAL: 1 Undeliverable, 27 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 02, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 31, 2023 at the address(es) listed below:

District/off: 0315-2

User: auto

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Date Rcvd: Mar 31, 2023

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Total Noticed: 42

Name	Email Address
Brian Nicholas	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper bnicholas@kmlawgroup.com
Denise Carlon	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper dcarlon@kmlawgroup.com
Lawrence W. Willis	on behalf of Debtor William N Geary ecf@westernpabankruptcy.com urfreshstrt@gmail.com;willislr88866@notify.bestcase.com
Lawrence W. Willis	on behalf of Joint Debtor Nicole M Geary ecf@westernpabankruptcy.com urfreshstrt@gmail.com;willislr88866@notify.bestcase.com
Maria Miksich	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper mmiksich@kmlawgroup.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 7